

Vidya Amin.

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**REVIEW PETITION NO. 12 OF 2012
IN
FIRST APPEAL NO. 214 OF 2012**

Shankar Mahadev Sawant ... Petitioner

VS.

The Municipal Corporation of Greater Mumbai ... Respondent

Mr. Madhav Jamdar, Advocate for the petitioner.

Mr. Joquion Reis, Senior Counsel a/w. Mr. Oorja Dhond, Mr. Jernold Joseph Xavier, Vidya S. Gharpuare, Advocate for respondent /BMC.

Mr. Sudhir Naik, Joint Municipal Commissioner (GA) present.

Smt. Vandana Milkhe, Dy. Supdt (Garden)/BMC present.

**CORAM: Mrs.MRIDULA BHATKAR, J.
(In Chamber)**

DATED: 9th January, 2019

P.C. :

1. I am informed by the learned senior counsel for the Corporation that the Assistant Commissioner of Estate has passed the order dated 13th December, 2018 rejecting the Application for claim of the petitioner for alternative accommodation which was earlier mentioned in the order of Assistant Commissioner (City) dated 28th November, 2006.

2. In the present Petition, the petitioner has filed this Petition on the ground that some documents were remained to be handed

over to their counsel and therefore, they were not placed before this Court. However, now all these documents were considered by the Assistant Commissioner of Estates after giving opportunity of hearing and passed the order on 13th December, 2018.

3. In view of this, this Review Petition is not covered under the scope of review as contemplated under Order 47 Rule 1 of Code of Civil Procedure.

4. Review Petition is dismissed.

(MRIDULA BHATKAR, J.)